

DETAILED ACTION

Claims 1, 2, 4, 9, 11, 12, 14, 16, 18, 19, and 21-23 are pending in the instant application. Claims 6-8 and 10 have been cancelled by way of amendment filed on January 21, 2010. Claims 3, 13, 15, 17, and 20 have been cancelled by way of amendment filed on March 25, 2010. Claims 1, 2, 4, 9, 11, 12, 14, 16, 18, 19, and 21-23 are allowed.

Response to Amendments and Arguments/Remarks

The amendment and arguments/remarks filed on January 21, 2010 and the supplemental amendment and arguments/remarks filed on March 25, 2010 have been fully considered and entered into the application. In regards to the objection of claims 1, 2, 4, 9, 11, and 21-23 for containing non-elected subject matter, the grounds for objection are moot in view of Applicant's amendments and the objection has been withdrawn.

REASONS FOR ALLOWANCE

The compounds and pharmaceutical compositions of formula (I) as well as the methods of using compounds of formula (I) of the instant claims are novel and non-obvious over the prior art because of the structural limitations of the compounds (i.e., the presence of a nitro group). The closest prior art is Mamidi et al. (*Biopharm. Drug Dispos.* **23**: 273-282 (2002)) which discloses COX-2 inhibitors (i.e., Figure 1, page 275). The compounds disclosed in Mamidi et al. do not fit within the scope of the compounds of the instant claims nor are they obvious variants. Therefore, the compounds disclosed in Mamidi et al. have different properties than the compounds of the instant claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTIN BIANCHI whose telephone number is (571)270-5232. The examiner can normally be reached on Mon-Fri 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kamal A Saeed/
Primary Examiner, Art Unit 1626

Kristin Bianchi
Examiner
Art Unit 1626

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Art Unit: 1626

Page 4
